

## ZONING AND ADJUSTMENT BOARD

August 18, 2003

The Zoning and Adjustment Board of Sumter County, Florida convened on Monday, August 18, 2003 at 6:30 P.M. with the following members present: Chairman Larry Story, Dave Pierazek, Rusty Mask, Todd Brown, Dossie Singleton, Lamar Parker, Mark Caruthers and Dale Nichols. Richard Bradley, Frank Topping and Evan Merritt were absent. Terry Neal, Board Attorney, was present. Roberta Rogers, Director of Planning & Development, and Aimee Webb, Board Secretary, were present.

The Board members led everyone in the pledge of allegiance and prayer.

Mr. Nichols made a motion to approve the minutes from the ZAB Meeting on August 4, 2003. Mr. Caruthers seconded the motion and the motion carried.

Mr. Story presented the Proof of Publication.

ZP2003-44

Charles E. Bradshaw, Jr.

Bruce Duncan, attorney for Dr. Pruitt and other adjacent property owners, Jake Varnes, representing Mr. Bexley, and William Wiley, representative for the City of Leesburg, were present and requesting a continuance for the case. Mr. Duncan stated his clients were concerned they did not receive proper notification and explained a 7500 unit housing project was proposed adjacent to the landfill. Ann Long, attorney for Eastman Land Development, Inc., was present and requested the continuance be denied as procedures for proper notification had been followed. There were six notices sent. Of the six notices sent, one was received in favor and none in objection. Mr. Nichols stated he had not reviewed the information regarding the landfill and would like time to review it. There were no further questions or discussion from the Board. Mr. Nichols made a motion to approve the requested continuance to the September 2, 2003 Zoning and Adjustment Board hearing. Mr. Caruthers seconded the motion and the motion carried.

03S-7

Lynn Fletcher

Mr. Lynn Fletcher was present and requesting a small-scale comprehensive plan amendment from agricultural to commercial on one acre of a 19.31 acre parcel. There were no objections from the audience. The Board held a discussion regarding whether the location for the proposed land use change was suitable to the area. Mr. Fletcher stated he would like to build a tack shop and reside on the remainder of the property. Mrs. Rogers stated the acre was adjacent to an existing antique car business. There were no further questions or discussion from the Board. Mr. Nichols made a motion to recommend approval of the small-scale comprehensive plan amendment to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Brown seconded the motion and the motion carried.

## ZP2003-75

Lynn Fletcher

Mr. Lynn Fletcher was present and requesting a rezoning from RR5 to CH on 1 acre MOL and the remaining acreage to A10. There were seven notices sent. Of the seven notices sent, one was received in favor and none in objection. There were no objections from the audience. There were no further questions or discussion from the Board. Mr. Nichols made a motion to recommend approval of the rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Parker seconded the motion and the motion carried.

## ZP2003-66

Charlotte Pipe &amp; Foundry, Inc.

James Young, representative for Charlotte Pipe, was present and requesting a rezoning from A5 and M1 to ID to bring the property into compliance with the Future Land Use Map. There were 10 notices sent. Of the 10 notices sent, one was received in favor and four in objection. The letters of objection were read into the record. Mrs. Webb stated the Planning and Development staff had made an oversight in 1998 by allowing a Special Use Permit (SUP) for outside storage of equipment within 300' of a parcel zoned residential. The property should have been zoned ID prior to the SUP approval. There was one objection from the audience: Robin Calero. Ms. Calero stated she objected to the rezoning because she was a surrounding homeowner and did not want the excessive noise and traffic. Mr. Young amended the application to exclude the N 100' of Marlboro Gardens Subdivision owned by Charlotte Pipe to allow for the continued buffer between the residential properties and businesses. There were no further questions or discussion from the Board. Mr. Nichols made a motion to approve the amended rezoning request to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Mask seconded the motion and the motion carried.

## ZP2003-74

Earl Marshall

Earl Marshall and Kimberly Rhoden, the applicant's daughter, were present and requesting a rezoning from RR5 to RR1 for the purpose of lineal transfer. There were six notices sent. Of the six notices sent, one was received in favor and none in objection. There were no objections from the audience. There were no further questions or discussion from the Board. Mr. Nichols made a motion to approve the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Brown seconded the motion and the motion carried.

## ZP2003-71

David and Natalie Carroll

David Carroll was present and requesting a Temporary Use Permit to allow an RV as a residence for one year while the permanent residence is under construction. There were three notices sent. Of the three notices sent, one was received in favor and none in objection. There were no objections from the audience. There were no further questions or discussion from the Board. Mr. Nichols made a motion to approve the requested

Temporary Use Permit based on the information provided in the staff report. Mr. Brown seconded the motion and the motion carried.

#### ZP2003-72

John Jr. & Bridget Booher

John and Bridget Booher were present and requesting a renewal of a Temporary Use Permit to allow an RV as a residence for one year while the permanent residence is under construction. There were seven notices sent. Of the seven notices sent, one was received in favor and none in objection. There were no objections from the audience. There were no further questions or discussion from the Board. Mr. Nichols made a motion to approve the requested Temporary Use Permit based on the information provided in the staff report. Mr. Brown seconded the motion and the motion carried.

#### ZP2003-73

James P. Lewis

James Lewis and Mollie Lewis, the applicant's daughter, were present and requesting a Temporary Use Permit to allow a mobile home on the property for three years for a caregiver's residence. There were seven notices sent. Of the seven notices sent, none were received in favor and none in objection. There were no objections from the audience. Mr. Nichols and Mr. Caruthers expressed their concern regarding the information submitted by the applicant not sufficient enough to prove the need for care receiver on premises. Mr. Lewis stated at this time his daughter was staying elsewhere but returning constantly to help him with daily activities. There were no further questions or discussion from the Board. Mr. Caruthers made a motion to approve the requested Temporary Use Permit based on the information provided in the staff report. Mr. Mask seconded the motion and the motion carried with Mr. Nichols voting nay.

The Board took a five-minute recess.

The Board reconvened at 7:48 p.m. with the aforementioned Board members present.

#### 03DRI-3

The Villages of Sumter

Jack Sullivan, John Parker, Richard Barr, Bob Farner and Ron Grant, representatives for The Villages, were present. Mrs. Rogers stated the request was for the transmittal of a large-scale comprehensive plan amendment on 1171 acres MOL from agricultural to Mixed Use and expand the Urban Development Area (UDA). Mrs. Rogers explained the primary use of the acreage was for golf courses, and no additional housing units or commercial square footage is requested. The letters of objection were read into the record. Mr. Sullivan stated approximately 867 acres would be used for golf courses to compensate for the additional dwelling units. Mr. Sullivan stated the application is filling in the "out" parcels, which were shown in the previous applications. Site surveys show there are gopher tortoises and sand hill cranes, which would be relocated to a wildlife management area. There are also fox squirrels, which will be relocated on the proposed property.

Mr. Sullivan stated the development would be completed six years earlier than anticipated due to the increased construction rate. Mr. Caruthers made a motion to approve the transmittal of the requested application to the Board of Sumter County Commissioners based on the information in the staff report. Mr. Nichols seconded the motion and the motion carried.

#### Public Forum

The Board held a discussion regarding locations of industrial property in regards to zoning and the Future Land Use Map.

Mr. Nichols made a motion to adjourn the meeting. Mr. Caruthers seconded the motion and the motion carried.

The meeting adjourned at 8:11 p.m.

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Chairman  
Zoning & Adjustment Board